



CALIFORNIA
DEPARTMENT OF
EDUCATION

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JACK O'CONNELL

State Superintendent of
Public Instruction

PHONE: (916) 319-0800

July 26, 2007

Dear County and District Superintendents and Charter School Administrators:

TENTATIVE SETTLEMENT AGREEMENT IN VALENZUELA V. O'CONNELL ET AL.

As you may know, a tentative settlement agreement has been reached in Valenzuela v. O'Connell et al., a lawsuit filed in February 2006 challenging the California High School Exit Examination (CAHSEE). The proposed settlement was tentatively approved on July 19 by Alameda County Superior Court Judge Robert Freedman. Final agreement to this proposed settlement will put to rest this challenge, leaving the exit exam in place. Most importantly, it will ensure that students in the class of 2006 and beyond will have the opportunity to continue to get the assistance they need to learn the critical skills measured on the CAHSEE.

I am asking for your cooperation in helping us to comply with the terms of the settlement, so that all interested parties are aware of its terms. Enclosed with this letter is a court-approved Notice of Certification of Settlement Class (Notice). This Notice fully informs all interested parties of the terms of the settlement and how it may affect them. We ask that you post this Notice in a prominent location in your district or county office and at each of your schools that contains or teaches students in grades ten, eleven, twelve, or higher. (Higher means schools of your district that serve students beyond twelfth grade.)

In addition to the terms of the settlement, this Notice also advises interested parties that a hearing to give final approval to the proposed settlement has been scheduled for August 13, 2007, at 1:30 p.m. in Alameda County Superior Court.

A copy of this letter and the enclosed Notice is being sent by electronic mail to all District CAHSEE Coordinators and by regular mail to all public high schools. Even though we are sending this Notice to all District Coordinators and high schools directly, we ask that you specifically request that all schools in your district that contain students in grades ten, eleven, twelve, or higher post the Notice in a prominent location.

The settlement proposal requires passage by the Legislature and approval by the Governor of Assembly Bill 347, authored by Assembly Member Pedro Nava. This bill would ensure that students who fail to pass the CAHSEE and graduate may receive up to an additional two years of academic assistance from their school districts. The bill is currently pending approval on the floor of the Senate.

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I appreciate your help in making students, teachers, and members of your community aware of this proposed settlement, and thank you for all you do to prepare California's students to succeed in high school and beyond.

Sincerely,

JACK O'CONNELL

JO:mg
Enclosure

cc: High School Principals via United States Mail
CAHSEE Coordinators via electronic mail